

E-filed 7/5/06

1 WOLF, BLOCK, SCHORR and SOLIS-COHEN LLP
 2 ANTHONY R. TWARDOWSKI (admitted *pro hac vice*)
 3 MICHAEL B. CAVADEL (admitted *pro hac vice*)
 1650 Arch Street, 22nd Floor
 Philadelphia, PA 19103
 Telephone: (215) 977-2042
 4 Facsimile: (215) 405-2942

5 MORGENSTEIN & JUBELIRER LLP
 JEAN L. BERTRAND (Bar. No. 83250)
 6 ADRIENNE S. LEIGHT (Bar No. 226854)
 One Market, Spear Street Tower, 32nd Floor
 7 San Francisco, CA 94105
 Telephone: (415) 901-8700
 8 Facsimile: (415) 901-8701

9 Attorneys for Plaintiff and Specially-Appearing
 Counter-Defendant M. DIANE KOKEN

11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA
 13 SAN JOSE DIVISION

14 M. DIANE KOKEN,
 15 Plaintiff,
 16 v.

17 STATECO INC. d/b/a STATECO INSURANCE
 SERVICES and THOMAS NATOLI, and XYZ
 18 CORPS. 1-10, and DOES 1 through 10, inclusive,
 Defendants.

19 AND RELATED CROSS-ACTION
 20

Case No.: 3:05-CV-03007-JF

**THIRD STIPULATION AND
 [PROPOSED] ORDER
 EXTENDING PLAINTIFF AND
 SPECIALLY-APPEARING
 COUNTER-DEFENDANT M.
 DIANE KOKEN'S TIME TO
 RESPOND TO AMENDED
 COUNTERCLAIM**

21 Defendants and Counter-Claimants Stateco Inc., doing business as Stateco
 22 Insurance Services, and Thomas Natoli (collectively "Stateco") and Plaintiff and
 23 specially-appearing Counter-Defendant M. Diane Koken, ("Koken") by and through their
 24 undersigned counsel, hereby stipulate as follows:

25 1. WHEREAS on April 24, 2006, Mutual Indemnity Ltd., Mutual Indemnity
 26 (Bermuda) LTD., Mutual Indemnity (Barbados) LTD., Mutual Indemnity (US) LTD.,
 27 Mutual Indemnity (Dublin) LTD., and Mutual Holdings (Bermuda) LTD., (collectively the
 28 "Mutual Companies") filed a motion to dismiss Stateco's third party complaint.

1 2. WHEREAS Stateco filed an amended counterclaim against Koken on
2 May 2, 2006;

3 3. WHEREAS Koken and Stateco previously stipulated to extend the time for
4 Koken to respond to the amended counterclaim so as to first permit the Court to rule on
5 the Mutual Companies' motion to dismiss Stateco's third party complaint;

6 4. WHEREAS on June 26, 2006, the Court granted Stateco's request to
7 amend its third party complaint and did not rule on the Mutual Companies' motion to
8 dismiss;

9 5. WHEREAS Stateco wishes to continue settlement negotiations with Koken
10 following the resolution of the Mutual Companies' motion to dismiss Stateco's third party
11 complaint;

12 6. WHEREAS the extension requested by Koken will not affect any court-
13 ordered deadlines; and

14 7. WHEREAS Koken may appear to file this stipulation without prejudice to
15 any motion to dismiss it may choose to file;

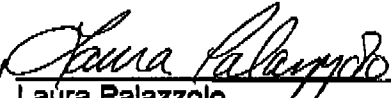
16 IT IS PROPOSED AND STIPULATED:

17 The date set for Koken to respond to Stateco's amended counterclaim will be
18 extended from July 7, 2006 to 20 days following the Court's ruling on the Mutual
19 Defendants' motion to dismiss.

20 IT IS SO STIPULATED.

21
22 DATED: June 30, 2006

BERLINER COHEN

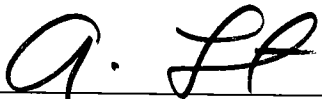
23
24 By 
25 Laura Palazzolo
26 Attorneys for Defendants and Counter-
27 Claimants STATECO INC., dba STATECO
28 INSURANCE SERVICES and THOMAS
 NATOLI

///

///

1 DATED: June 29 2006

MORGENSTEIN & JUBELIRER LLP

2
3 By 
4 Adrienne S. Leight
5 Attorneys for Plaintiff and Specially
6 Appearing Counter-Defendant M. DIANE
7 KOKEN

8 **IT IS SO ORDERED**

9 DATED: July 5, 2006

10 By 
11 Jeremy Fogel
12 United States District Court Judge

13 MORGENSTEIN & JUBELIRER LLP
14 ATTORNEYS AT LAW
15 SAN FRANCISCO